

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF RHODE ISLAND**

THE R.J. CARBONE COMPANY,	:	
	:	
Plaintiff,	:	
	:	
vs.	:	C.A. NO. 08-291 S
	:	
TIMOTHY J. REGAN &	:	
ASSOCIATED WHOLESALE	:	
FLORIST, INC. d/b/a Associated Wholesale:	:	
Florist of New Jersey,	:	
	:	
Defendants.	:	

TEMPORARY RESTRAINING ORDER

This matter having come before the Court on Plaintiff's Motion for a Temporary Restraining Order, and after a conference and hearing thereon conducted August 5, 2008, it is hereby ORDERED:

1. Defendant Timothy J. Regan ("Regan"), and those in active concert or participation with him, are enjoined and restrained (a) from soliciting customers with whom Regan worked during his employment at The R.J. Carbone Company, Inc. ("Carbone"), and (b) from using any confidential information that Regan derived from his employment at Carbone for any purpose, including personally soliciting or assisting others in soliciting current Carbone customers (e.g. customers which Carbone has invoiced within the past 24 months) in the sales territory in which Regan worked (Connecticut, and part of New York).
2. Within twenty-four (24) hours of the entry of this Order, Carbone shall provide to Regan's counsel a list of the Carbone Customers with whom Regan worked during his employment with Carbone (the "Customer List"). The Customer List shall be designated "Confidential-Attorneys' Eyes Only" but may be shown to and discussed with Regan. Regan and his counsel shall not (a) disclose, discuss or disseminate any information in the Customer

List with or to any person or entity (other than each other) including, but not limited, to Associated Wholesale Florist, Inc; or (b) use the information in the Customer List for any purpose other than this action.

3. If Regan disputes that any of the customers on the Customer List are customers with whom he worked while at Carbone, he will notify Carbone of the disputed customers in writing within seven (7) days of receipt of the Customer List. If the parties are unable to resolve such dispute themselves, any party may notify the designated Magistrate-Judge, who shall resolve the dispute.

4. Regan is ordered to return to Carbone or its counsel all Carbone property and information in his custody or control.

The Court will conduct a hearing on Plaintiff's Application for Preliminary Injunction and on any dispositive motions filed by the Defendants on September 8, 2008. This Order will remain in effect until that time, unless otherwise modified by the Court.

ENTER:

BY ORDER:

Wsomn
Judge
8/8/08

Wendy Galt
Clerk